

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Se-Jin Lee *et al.* Art Unit: 1812  
Serial No.: 08/765,662 Examiner: P. Mertz  
Filed: 4/28/97  
Title: GROWTH DIFFERENTIATION FACTOR-12

Assistant Commissioner for Patents  
Washington DC 20231

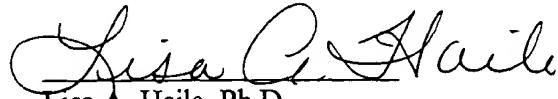
TRANSMITTAL OF CORRECTED DECLARATION

Enclosed is the executed revised Combined Declaration and Power of Attorney previously filed (unsigned) on April 24, 1998, in response to the Office Action dated February 24, 1998.

No additional fees are believed to be due. Please charge any required fee, or make any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 6/5/98

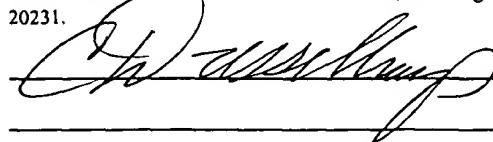


Lisa A. Haile, Ph.D.  
Reg. No. 38,347  
Attorney for Applicants

Fish & Richardson P.C.  
4225 Executive Square, Suite 1400  
La Jolla, CA 92037  
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55521.LJ1

Date of Deposit 6/8/98

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.



## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GROWTH DIFFERENTIATION FACTOR-12, the specification of which

is attached hereto.

was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_

was described and claimed in PCT International Application No. PCT/US95/08745 filed on 7/12/95 and was amended on .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED
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Yes  No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. SERIAL NO.	FILING DATE	STATUS
08/274,215	7/13/94	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned
PCT/US95/08745	7/12/95	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Lisa A. Haile, Reg. No. 38,347, John R. Wetherell, Reg. No. 31,678, June M. Learn, Reg. No. 31,238, John Land, Reg. No. 29,554..

Address all telephone calls to Lisa A. Haile at telephone number 619/678-5070.

Address all correspondence to Lisa A. Haile, Fish & Richardson P.C., 4225 Executive Square, Suite 1400, La Jolla, CA 92037.

## COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Se-Jin Lee

Inventor's Signature: SL

Date: 5/20/98

Residence Address: 6711 Chokeberry Road, Baltimore, MD 21205

Citizen of: USA

Post Office Address: 6711 Chokeberry Road, Baltimore, MD 21205

Full Name of Inventor: Aurora F. Esquela

Inventor's Signature: Aurora F. Esquela Date: 5/20/98

Residence Address: Apartment 1B, 853 West University Parkway, Baltimore MD 21210

Citizen of: USA

Post Office Address: Apartment 1B, 853 West University Parkway, Baltimore MD 21210

501 DECLARATION OF INVENTOR

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GROWTH DIFFERENTIATION FACTOR-12, the specification of which

is attached hereto.  
 was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.  
 was described and claimed in PCT International Application No. PCT/US95/08745 filed on 7/12/95  
and was amended on .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED
PCT	PCT/US95/08754	7/12/95	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. SERIAL NO.	FILING DATE	STATUS
08/274,215	7/13/94	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned
08/311,370	9/26/94	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Lisa A. Haile, Reg. No. 38,347, John R. Wetherell, Reg. No. 31,678, June M. Learn, Reg. No. 31,238, John Land, Reg. No. 29,554..

Address all telephone calls to Lisa A. Haile at telephone number 619/678-5070.

Address all correspondence to Lisa A. Haile, Fish & Richardson P.C., 4225 Executive Square, Suite 1400, La Jolla, CA 92037.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the

## COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Se-Jin Lee

Inventor's Signature: SJL Date: 4/23/97

Residence Address: 6711 Chokeberry Road, Baltimore, MD 21205

Citizen of: USA

Post Office Address: 6711 Chokeberry Road, Baltimore, MD 21205

Full Name of Inventor: Aurora F. Esquela

Inventor's Signature: Aurora F. Esquela Date: 4/23/97

Residence Address: Apartment 1B, 853 West University Parkway, Baltimore MD 21210

Citizen of: USA

Post Office Address: Apartment 1B, 853 West University Parkway, Baltimore MD 21210

Applicant or Patentee: Lee and Esquela  
 Serial or Patent No.: 08/765,662  
 Filed or Issued: 1/10/97  
 For: GROWTH DIFFERENTIATION FACTOR-12

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 C.F.R. 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: John Hopkins University School of Medicine

Address of Small Business Concern: 720 Rutland Avenue, Baltimore, MD 21205

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.12, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled GROWTH DIFFERENTIATION FACTOR-12 by inventor(s) Se-Jin Lee and Aurora F. Esquela described in

the specification filed herewith.  
 application serial no. 08/765,662, filed 1/10/97.  
 patent no. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d), or a nonprofit organization under 37 C.F.R. 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

Full Name: John Hopkins University School of Medicine

Address: 720 Rutland Avenue, Baltimore, MD 21205

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent on which this verified statement is directed.

Name: HOWARD W. CALIFANO

Title: Assistant Dean and Director

Address: 720 Rutland Avenue, Baltimore, MD 21205

Signature: Howard W. Califano

Date: 4-23-97